

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

115TH LEGISLATIVE DAY

THURSDAY, APRIL 6, 2006

12:00 O'CLOCK NOON

HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.

Representative Lyons in the chair.

Prayer by Bishop Larry Trotter with the Sweet Holy Church in Chicago, Illinois.

Representative Verschoore led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

115 present. (ROLL CALL 1)

By unanimous consent, Representatives Feigenholtz, Jones and Patterson were excused from attendance.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to SENATE BILL 2170.

Amendment No. 3 to SENATE BILL 2570.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson

Y Hannig, Gary(D)

Y Turner, Arthur(D)

Y Black, William(R), Republican Spokesperson

A Hassert, Brent(R)

COMMITTEE ON RULES REFERRALS

Representative Currie, Chairperson of the Committee on Rules, action taken earlier today, and reported the following legislative measures and/or joint action motions have been assigned as follows:

Adoption Reform: SENATE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 4186.

Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 1827.

Housing and Urban Development: HOUSE AMENDMENT No. 1 to SENATE BILL 2772.

Labor: HOUSE JOINT RESOLUTION 107.

Veterans Affairs: SENATE BILL 2726.

MOTIONS SUBMITTED

Representative Verschoore submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION

I move to non-concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4298.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for SENATE BILL 835.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 711

A bill for AN ACT concerning revenue.

SENATE BILL NO. 929

A bill for AN ACT concerning regulation.

SENATE BILL NO. 1144

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1145

A bill for AN ACT concerning criminal law.

Passed by the Senate, April 5, 2006.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 711, 929, 1144 and 1145 were ordered printed and to a First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1143

A bill for AN ACT concerning criminal law.

Passed by the Senate, April 5, 2006.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 1143 was ordered printed and to a First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4339

A bill for AN ACT concerning education.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4339

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4339 on page 1, line 10, after "in", by inserting "Community College District No. 504".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4339 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4357

A bill for AN ACT concerning civil law.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 3 to HOUSE BILL NO. 4357

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 3. Amend House Bill 4357 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 607 as follows:

(750 ILCS 5/607) (from Ch. 40, par. 607)

Sec. 607. Visitation.

(a) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger seriously the child's physical, mental, moral or emotional health. If the custodian's street address is not identified, pursuant to Section 708, the court shall require the parties to identify reasonable alternative arrangements for visitation by a non-custodial parent, including but not limited to visitation of the minor child at the residence of another person or at a local public or private facility.

(a-3) Grandparents, great-grandparents, and siblings of a minor child, who is one year old or older, have standing to bring an action in circuit court by petition, requesting visitation in accordance with this Section. The term "sibling" in this Section means a brother, sister, stepbrother, or stepsister of the minor child. Grandparents, great-grandparents, and siblings also have standing to file a petition for visitation rights in a pending dissolution proceeding or any other proceeding that involves custody or visitation issues, requesting visitation in accordance with this Section. A petition for visitation with a child by a person other than a parent must be filed in the county in which the child resides. Nothing in this subsection (a-3) and subsection (a-5) of this Section shall apply to a child in whose interests a petition is pending under Section 2-13 of the Juvenile Court Act of 1987 or a petition to adopt an unrelated child is pending under the Adoption Act.

(a-5)(1) Except as otherwise provided in this subsection (a-5), any grandparent, great-grandparent, or sibling may file a petition for visitation rights to a minor child if there is an unreasonable denial of visitation by a parent and at least one of the following conditions exists:

(A) ~~(Blank): one parent of the child is incompetent as a matter of law or deceased or has been sentenced to a period of imprisonment for more than 1 year;~~

(A-5) the child's other parent is deceased or has been missing for at least 3 months. For the purposes of this Section a parent is considered to be missing if the parent's location has not been determined and the parent has been reported as missing to a law enforcement agency;

(A-10) a parent of the child is incompetent as a matter of law;

(A-15) a parent has been incarcerated in jail or prison during the 3 month period preceding the filing of the petition;

(B) the child's mother and father are divorced or have been legally separated from each other or there is pending a dissolution proceeding involving a parent of the child or another court proceeding involving custody or visitation of the child (other than any adoption proceeding of an unrelated child) during the 3 month period prior to the filing of the petition and at least one parent does not object to the grandparent, great-grandparent, or sibling having visitation with the child. The visitation of the grandparent, great-grandparent, or sibling must not diminish the visitation of the parent who is not related to the grandparent, great-grandparent, or sibling seeking visitation;

(C) ~~(Blank): the court, other than a Juvenile Court, has terminated a parent-child relationship and the grandparent, great-grandparent, or sibling is the parent of the person whose parental rights have been terminated, except in cases of adoption. The visitation must not be used to allow the parent who lost parental rights to unlawfully visit with the child;~~

(D) the child is born out of wedlock, the parents are not living together, and the petitioner is a maternal grandparent, great-grandparent, or sibling of the child born out of wedlock; or

(E) the child is born out of wedlock, the parents are not living together, the petitioner is a paternal grandparent, great-grandparent, or sibling, and the paternity has been established by a court of competent jurisdiction.

(2) Any visitation rights granted pursuant to this Section before the filing of a petition for adoption of a child shall automatically terminate by operation of law upon the entry of an order terminating parental rights or granting the adoption of the child, whichever is earlier. If the person or persons who adopted the child are related to the child, as defined by Section 1 of the Adoption Act, any person who was related to the child as grandparent, great-grandparent, or sibling prior to the adoption shall have standing to bring an action pursuant to this Section requesting visitation with the child. The grandparent, great-grandparent, or sibling of a parent whose parental rights have been terminated through an adoption proceeding may not petition for visitation rights.

(3) In making a determination under this subsection (a-5), there is a rebuttable presumption that a fit parent's actions and decisions regarding grandparent, great-grandparent, or sibling visitation are not harmful to the child's mental, physical, or emotional health. The burden is on the party filing a petition under this Section to prove that the parent's actions and decisions regarding visitation times are harmful to the child's mental, physical, or emotional health.

(4) In determining whether to grant visitation, the court shall consider the following:

(A) the preference of the child if the child is determined to be of sufficient maturity to express a preference;

(B) the mental and physical health of the child;

(C) the mental and physical health of the grandparent, great-grandparent, or sibling;

(D) the length and quality of the prior relationship between the child and the grandparent, great-grandparent, or sibling;

(E) the good faith of the party in filing the petition;

(F) the good faith of the person denying visitation;

(G) the quantity of the visitation time requested and the potential adverse impact that visitation would have on the child's customary activities;

(H) whether the child resided with the petitioner for at least 6 consecutive months with or without the current custodian present;

(I) whether the petitioner had frequent or regular contact or visitation with the child for at least 12 consecutive months; ~~and~~

(J) any other fact that establishes that the loss of the relationship between the petitioner and the child is likely to harm the child's mental, physical, or emotional health; ~~and -~~

(K) whether the grandparent, great-grandparent, or sibling was a primary caretaker of the child for a period of not less than 6 consecutive months.

(5) The court may order visitation rights for the grandparent, great-grandparent, or sibling that include reasonable access without requiring overnight or possessory visitation.

(a-7)(1) Unless by stipulation of the parties, no motion to modify a grandparent, great-grandparent, or sibling visitation order may be made earlier than 2 years after the date the order was filed, unless the court permits it to be made on the basis of affidavits that there is reason to believe the child's present environment may endanger seriously the child's mental, physical, or emotional health.

(2) The court shall not modify ~~an a prior grandparent, great-grandparent, or sibling visitation order that grants visitation to a grandparent, great-grandparent, or sibling~~ unless it finds by clear and convincing evidence,

upon the basis of facts that have arisen since the prior visitation order or that were unknown to the court at the time of entry of the prior visitation, that a change has occurred in the circumstances of the child or his or her custodian, and that the modification is necessary to protect the mental, physical, or emotional health of the child. The court shall state in its decision specific findings of fact in support of its modification or termination of the grandparent, great-grandparent, or sibling visitation. A child's parent may always petition to modify visitation upon changed circumstances when necessary to promote the child's best interest.

(3) Attorney fees and costs shall be assessed against a party seeking modification of the visitation order if the court finds that the modification action is vexatious and constitutes harassment.

(4) Notice under this subsection (a-7) shall be given as provided in subsections (c) and (d) of Section 601.

(b) (1) (Blank.)

(1.5) The Court may grant reasonable visitation privileges to a stepparent upon petition to the court by

the stepparent, with notice to the parties required to be notified under Section 601 of this Act, if the court determines that it is in the best interests and welfare of the child, and may issue any necessary orders to enforce those visitation privileges. A petition for visitation privileges may be filed under this paragraph (1.5) whether or not a petition pursuant to this Act has been previously filed or is currently pending if the following circumstances are met:

- (A) the child is at least 12 years old;
- (B) the child resided continuously with the parent and stepparent for at least 5 years;
- (C) the parent is deceased or is disabled and is unable to care for the child;
- (D) the child wishes to have reasonable visitation with the stepparent; and
- (E) the stepparent was providing for the care, control, and welfare to the child prior to the initiation of the petition for visitation.

(2)(A) A petition for visitation privileges shall not be filed pursuant to this subsection (b) by the parents or grandparents of a putative father if the paternity of the putative father has not been legally established.

(B) A petition for visitation privileges may not be filed under this subsection (b) if the child who is the subject of the grandparents' or great-grandparents' petition has been voluntarily surrendered by the parent or parents, except for a surrender to the Illinois Department of Children and Family Services or a foster care facility, or has been previously adopted by an individual or individuals who are not related to the biological parents of the child or is the subject of a pending adoption petition by an individual or individuals who are not related to the biological parents of the child.

(3) (Blank).

(c) The court may modify an order granting or denying visitation rights of a parent whenever modification would serve the best interest of the child; but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger seriously the child's physical, mental, moral or emotional health. ~~The court may modify an order granting, denying, or limiting visitation rights of a grandparent, great grandparent, or sibling of any minor child whenever a change of circumstances has occurred based on facts occurring subsequent to the judgment and the court finds by clear and convincing evidence that the modification is in the best interest of the minor child.~~

(d) If any court has entered an order prohibiting a non-custodial parent of a child from any contact with a child or restricting the non-custodial parent's contact with the child, the following provisions shall apply:

(1) If an order has been entered granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent, the visitation privileges of the grandparent or great-grandparent may be revoked if:

- (i) a court has entered an order prohibiting the non-custodial parent from any contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent; or
- (ii) a court has entered an order restricting the non-custodial parent's contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent in a manner that violates the terms of the order restricting the non-custodial parent's contact with the child.

Nothing in this subdivision (1) limits the authority of the court to enforce its orders in any manner permitted by law.

(2) Any order granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent shall contain the following provision:

"If the (grandparent or great-grandparent, whichever is applicable) who has been granted visitation privileges under this order uses the visitation privileges to facilitate contact between the child and the child's non-custodial parent, the visitation privileges granted under this order shall be permanently revoked."

(e) No parent, not granted custody of the child, or grandparent, or great-grandparent, or stepparent, or sibling of any minor child, convicted of any offense involving an illegal sex act perpetrated upon a victim less than 18 years of age including but not limited to offenses for violations of Article 12 of the Criminal Code of 1961, is entitled to visitation rights while incarcerated or while on parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for that offense, and upon discharge from incarceration for a misdemeanor offense or upon discharge from parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for a felony offense, visitation shall be denied until the person successfully completes a treatment program approved by the court.

(f) Unless the court determines, after considering all relevant factors, including but not limited to those

set forth in Section 602(a), that it would be in the best interests of the child to allow visitation, the court shall not enter an order providing visitation rights and pursuant to a motion to modify visitation shall revoke visitation rights previously granted to any person who would otherwise be entitled to petition for visitation rights under this Section who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child who is the subject of the order. Until an order is entered pursuant to this subsection, no person shall visit, with the child present, a person who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child without the consent of the child's parent, other than a parent convicted of first degree murder as set forth herein, or legal guardian.

(g) ~~(Blank). If an order has been entered limiting, for cause, a minor child's contact or visitation with a grandparent, great-grandparent, or sibling on the grounds that it was in the best interest of the child to do so, that order may be modified only upon a showing of a substantial change in circumstances occurring subsequent to the entry of the order with proof by clear and convincing evidence that modification is in the best interest of the minor child.~~

(Source: P.A. 93-911, eff. 1-1-05; 94-229, eff. 1-1-06.)".

The foregoing message from the Senate reporting Senate Amendment No. 3 to HOUSE BILL 4357 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 5524

A bill for AN ACT concerning revenue.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 5524

Senate Amendment No. 2 to HOUSE BILL NO. 5524

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5524 by replacing everything after the enacting clause with the following:

"Section 5. The Film Production Services Tax Credit Act is amended by changing Sections 10, 40, and 90 as follows:

(35 ILCS 15/10)

(Section scheduled to be repealed on January 1, 2007)

Sec. 10. Definitions. As used in this Act:

"Accredited production" means: (i) for productions commencing before May 1, 2006, a film, video, or television production that has been certified by the Department in which the aggregate Illinois labor expenditures included in the cost of the production, in the period that ends 12 months after the time principal filming or taping of the production began, exceed \$100,000 for productions of 30 minutes or longer, or \$50,000 for productions of less than 30 minutes; and (ii) for productions commencing on or after May 1, 2006, a film, video, or television production that has been certified by the Department in which the Illinois production spending included in the cost of production in the period that ends 12 months after the time principal filming or taping of the production began exceeds \$100,000 for productions of 30 minutes or longer or exceeds \$50,000 for productions of less than 30 minutes. "Accredited production" but does not include a production that:

- (1) is news, current events, or public programming, or a program that includes weather or market reports;
- (2) is a talk show;
- (3) is a production in respect of a game, questionnaire, or contest;
- (4) is a sports event or activity;

- (5) is a gala presentation or awards show;
- (6) is a finished production that solicits funds;
- (7) is a production produced by a film production company if records, as required by 18 U.S.C. 2257, are to be maintained by that film production company with respect to any performer portrayed in that single media or multimedia program; or
- (8) is a production produced primarily for industrial, corporate, or institutional purposes.

"Accredited production certificate" means a certificate issued by the Department certifying that the production is an accredited production that meets the guidelines of this Act.

"Applicant" means a taxpayer that is a film production company that is operating or has operated an accredited production located within the State of Illinois and that (i) owns the copyright in the accredited production throughout the Illinois production period or (ii) has contracted directly with the owner of the copyright in the accredited production or a person acting on behalf of the owner to provide services for the production, where the owner of the copyright is not an eligible production corporation.

"Credit" means:

(1) for an accredited production approved by the Department on or before January 1, 2005 and commencing before May 1, 2006, the amount equal to 25% of the Illinois labor expenditure approved by the Department.

The applicant is deemed to have paid, on its balance due day for the year, an amount equal to 25% of its qualified Illinois labor expenditure for the tax year. For Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department, in an accredited production commencing before May 1, 2006 and approved by the Department after January 1, 2005, the applicant shall receive an enhanced credit of 10% in addition to the 25% credit; and -

(2) for an accredited production commencing on or after May 1, 2006, the amount equal to 20% of the Illinois production spending for the taxable year plus:

(i) 15% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department; and

(ii) for an accredited film or television production commencing on or after May 1, 2007, the amount equal to 5% of the Illinois labor expenditures generated during the use of a qualified production facility that is located in a geographic area of high poverty or high unemployment, as determined by the Department. To qualify under this item (ii), at least 50% of the total facility related expenses must be completed in Illinois if studio space is available. No labor expenditures for the additional credit under item (i) may also qualify for the additional credit under item (ii).

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Illinois labor expenditure" means salary or wages paid to employees of the applicant for services on the accredited production;

To qualify as an Illinois labor expenditure, the expenditure must be:

- (1) Reasonable in the circumstances.
- (2) Included in the federal income tax basis of the property.
- (3) Incurred by the applicant for services on or after January 1, 2004.
- (4) Incurred for the production stages of the accredited production, from the final script stage to the end of the post-production stage.
- (5) Limited to the first \$25,000 of wages paid or incurred to each employee of ~~a the~~ production commencing before May 1, 2006 and the first \$100,000 of wages paid or incurred to each employee of a production commencing on or after May 1, 2006.
- (6) For a production commencing before May 1, 2006, exclusive ~~Exclusive~~ of the salary or wages paid to or incurred for the 2 highest paid employees of the production.
- (7) Directly attributable to the accredited production.
- (8) Paid in the tax year for which the applicant is claiming the credit or no later than 60 days after the end of the tax year.
- (9) Paid to persons resident in Illinois at the time the payments were made.
- (10) Paid for services rendered in Illinois.

"Illinois production spending" means the expenses incurred by the applicant for an accredited production, including, without limitation, all of the following:

(1) expenses to purchase, from vendors within Illinois, tangible personal property that is used in the accredited production;

(2) expenses to acquire services, from vendors in Illinois, for film production, editing, or processing;
and

(3) the compensation, not to exceed \$100,000 for any one employee, for contractual or salaried employees who are Illinois residents performing services with respect to the accredited production.

"Qualified production facility" means stage facilities in the State in which television shows and films are or are intended to be regularly produced and that contain least one sound stage of at least 15,000 square feet.

(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.)

(35 ILCS 15/40)

(Section scheduled to be repealed on January 1, 2007)

Sec. 40. Amount and duration of the credit. The amount of the credit awarded under this Act is based on the amount of the Illinois labor expenditure and Illinois production spending approved by the Department for the production as set forth under Section 10. The duration of the credit may not exceed one taxable year.

(Source: P.A. 93-543, eff. 1-1-04.)

(35 ILCS 15/90)

(Section scheduled to be repealed on January 1, 2007)

Sec. 90. Repeal. This Act is repealed on January 1, ~~2009~~ 2007.

(Source: P.A. 93-543, eff. 1-1-04; 93-840, eff. 7-30-04; 94-171, eff. 7-11-05.)

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 2. Amend House Bill 5524, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 1, line 5, by changing "40," to "40, 45,"; and

on page 5, immediately below line 19, by inserting the following:

"(35 ILCS 15/45)

(Section scheduled to be repealed on January 1, 2007)

Sec. 45. Evaluation of tax credit program; reports to the General Assembly.

(a) The Department shall evaluate the tax credit program. The evaluation must include an assessment of the effectiveness of the program in creating and retaining new jobs in Illinois and of the revenue impact of the program, and may include a review of the practices and experiences of other states or nations with similar programs. Upon completion of this evaluation, the Department shall determine the overall success of the program, and may make a recommendation to extend, modify, or not extend the program based on this evaluation.

(b) At the end of each fiscal quarter, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) the economic impact of the tax credit program, including the number of jobs created and retained, including whether the job positions are entry level, management, talent-related, vendor-related, or production-related;

(2) the amount of film production spending brought to Illinois, including the amount of spending and type of Illinois vendors hired in connection with an accredited production; and

(3) an overall picture of whether the human infrastructure of the motion picture industry in Illinois reflects the geographical, racial and ethnic, gender, and income-level diversity of the State of Illinois.

(c) At the end of each fiscal year, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) an identification of each vendor that provided goods or services that were included in an accredited production's Illinois production spending;

(2) the amount paid to each identified vendor by the accredited production;

(3) for each identified vendor, a statement as to whether the vendor is a minority owned business or a female owned business, as defined under Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; and

(4) a description of any steps taken by the Department to encourage accredited productions to use vendors who are a minority owned business or a female owned business.

(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.)"

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 5524 were placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4715

A bill for AN ACT concerning housing.
Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 4715
Senate Amendment No. 2 to HOUSE BILL NO. 4715
Passed the Senate, as amended, April 6, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4715 by deleting everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Safe Homes Act.

Section 5. Purpose. The purpose of this Act is to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences thereof.

Section 10. Definitions. For purposes of this Act:

"Domestic violence" means "abuse" as defined in Section 103 of the Illinois Domestic Violence Act of 1986 by a "family or household member" as defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Landlord" means the owner of a building or the owner's agent with regard to matters concerning landlord's leasing of a dwelling.

"Sexual violence" means any act of sexual assault, abuse, or stalking of an adult or minor child, including but not limited to non-consensual conduct or non-consensual sexual penetration as defined in the Civil No Contact Order Act and the offenses of stalking, aggravated stalking, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse as those offenses are described in the Criminal Code of 1961.

"Tenant" means a person who has signed a written lease with a landlord whereby the person is the lessee under the written lease.

Section 15. Affirmative defense.

(a) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which a tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) at the time that the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises; and

(2) the tenant gave notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household.

(b) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which the tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) a tenant or a member of tenant's household was a victim of sexual violence on the premises and the tenant has vacated the premises as a result of the sexual violence; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of the sexual violence against the

tenant or member of the tenant's household, the date of the sexual violence, and that the tenant provided at least one form of the following types of evidence to the landlord supporting the claim of the sexual violence: medical, court or police evidence of sexual violence; or statement from an employee of a victim services or rape crisis organization from which the tenant or a member of the tenant's household sought services; and

(3) the sexual violence occurred not more than 30 days prior to the date of giving the written notice to the landlord.

(c) Nothing in this Act shall be construed to be a defense against an action for rent for a period of time before the tenant vacated the landlord's premises.

Section 20. Change of locks.

(a) Upon written notice from all tenants who have signed as lessees under a written lease, the tenants may request that a landlord change the locks of the dwelling unit in which they live if one or more of the tenants reasonably believes that one of the tenants or a member of tenant's household is under a credible imminent threat of domestic or sexual violence at the premises from a person who is not a lessee under the lease. Notice to the landlord requesting a change of locks shall be accompanied by at least one form of the following types of evidence to support a claim of domestic or sexual violence: medical, court or police evidence of domestic or sexual violence; or a statement from an employee of a victim services, domestic violence, or rape crisis organization from which the tenant or a member of the tenant's household sought services.

(b) Once a landlord has received notice of a request for change of locks and has received one form of evidence referred to in Section (a) above, the landlord shall, within 48 hours, change the locks or give the tenant the permission to change the locks.

(1) The landlord may charge a fee for the expense of changing the locks. That fee must not exceed the reasonable price customarily charged for changing a lock.

(2) If a landlord fails to change the locks within 48 hours after being provided with the notice and evidence referred to in (a) above, the tenant may change the locks without the landlord's permission. If the tenant changes the locks, the tenant shall give a key to the new locks to the landlord within 48 hours of the locks being changed. In the case where a tenant changes the locks without the landlord's permission, the tenant shall do so in a workmanlike manner with locks of similar or better quality than the original lock.

(c) The landlord who changes locks or allows the change of locks under this Act shall not be liable to any third party for damages resulting from a person being unable to access the dwelling.

Section 25. Penalty for violation.

(a) If a landlord takes action to prevent the tenant who has complied with Section 20 of this Act from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks.

(b) A tenant who changes locks and does not provide a copy of a key to the landlord within 48 hours of the tenant changing the locks, shall be liable for any damages to the dwelling or the building in which the dwelling is located that could have been prevented had landlord been able to access the dwelling unit in the event of an emergency.

(c) The remedies provided to landlord and tenant under this Section 25 shall be sole and exclusive.

Section 30. Prohibition of waiver or modification. The provisions of this Act may not be waived or modified in any lease or separate agreement.

Section 35. Public housing excluded. This Act does not apply to housing managed, operated, financed, or regulated, in whole or part, pursuant to the United States Housing Act of 1937, as amended, 42 USC 1437 et seq., and its implementing regulations."

AMENDMENT NO. 2. Amend House Bill 4715, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Safe Homes Act.

Section 5. Purpose. The purpose of this Act is to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences thereof.

Section 10. Definitions. For purposes of this Act:

"Domestic violence" means "abuse" as defined in Section 103 of the Illinois Domestic Violence Act of

1986 by a "family or household member" as defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Landlord" means the owner of a building or the owner's agent with regard to matters concerning landlord's leasing of a dwelling.

"Sexual violence" means any act of sexual assault, sexual abuse, or stalking of an adult or minor child, including but not limited to non-consensual sexual conduct or non-consensual sexual penetration as defined in the Civil No Contact Order Act and the offenses of stalking, aggravated stalking, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse as those offenses are described in the Criminal Code of 1961.

"Tenant" means a person who has entered into an oral or written lease with a landlord whereby the person is the lessee under the lease.

Section 15. Affirmative defense.

(a) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which a tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) at the time that the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household.

(b) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which the tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) a tenant or a member of tenant's household was a victim of sexual violence on the premises that is owned or controlled by a landlord and the tenant has vacated the premises as a result of the sexual violence; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of the sexual violence against the tenant or member of the tenant's household, the date of the sexual violence, and that the tenant provided at least one form of the following types of evidence to the landlord supporting the claim of the sexual violence: medical, court or police evidence of sexual violence; or statement from an employee of a victim services or rape crisis organization from which the tenant or a member of the tenant's household sought services; and

(3) the sexual violence occurred not more than 60 days prior to the date of giving the written notice to the landlord, or if the circumstances are such that the tenant cannot reasonably give notice because of reasons related to the sexual violence, such as hospitalization or seeking assistance for shelter or counseling, then as soon thereafter as practicable. Nothing in this subsection (b) shall be construed to be a defense against an action in forcible entry and detainer for failure to pay rent before the tenant provided notice and vacated the premises.

(c) Nothing in this Act shall be construed to be a defense against an action for rent for a period of time before the tenant vacated the landlord's premises and gave notice to the landlord as required in subsection (b).

Section 20. Change of locks.

(a) Upon written notice from all tenants who have signed as lessees under a written lease, the tenants may request that a landlord change the locks of the dwelling unit in which they live if one or more of the tenants reasonably believes that one of the tenants or a member of tenant's household is under a credible imminent threat of domestic or sexual violence at the premises from a person who is not a lessee under the lease. Notice to the landlord requesting a change of locks shall be accompanied by at least one form of the following types of evidence to support a claim of domestic or sexual violence: medical, court or police evidence of domestic or sexual violence; or a statement from an employee of a victim services, domestic violence, or rape crisis organization from which the tenant or a member of the tenant's household sought services.

(b) Once a landlord has received notice of a request for change of locks and has received one form of evidence referred to in Section (a) above, the landlord shall, within 48 hours, change the locks or give the tenant the permission to change the locks.

(1) The landlord may charge a fee for the expense of changing the locks. That fee must

not exceed the reasonable price customarily charged for changing a lock.

(2) If a landlord fails to change the locks within 48 hours after being provided with the notice and evidence referred to in (a) above, the tenant may change the locks without the landlord's permission. If the tenant changes the locks, the tenant shall give a key to the new locks to the landlord within 48 hours of the locks being changed. In the case where a tenant changes the locks without the landlord's permission, the tenant shall do so in a workmanlike manner with locks of similar or better quality than the original lock.

(c) The landlord who changes locks or allows the change of locks under this Act shall not be liable to any third party for damages resulting from a person being unable to access the dwelling.

Section 25. Penalty for violation.

(a) If a landlord takes action to prevent the tenant who has complied with Section 20 of this Act from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks. A tenant who successfully brings an action pursuant to this Section may be awarded reasonable attorney's fees and costs.

(b) A tenant who changes locks and does not provide a copy of a key to the landlord within 48 hours of the tenant changing the locks, shall be liable for any damages to the dwelling or the building in which the dwelling is located that could have been prevented had landlord been able to access the dwelling unit in the event of an emergency.

(c) The remedies provided to landlord and tenant under this Section 25 shall be sole and exclusive.

Section 30. Prohibition of waiver or modification. The provisions of this Act may not be waived or modified in any lease or separate agreement.

Section 35. Public housing excluded. This Act does not apply to public housing, assisted under the United States Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq., and its implementing regulations, with the exception of the tenant-based Housing Choice Voucher program. Public housing includes dwelling units in mixed-finance projects that are assisted through a public housing authority's capital, operating, or other funds."

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4715 were placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 385

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 385.

House Amendment No. 2 to SENATE BILL NO. 385.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 509

A bill for AN ACT concerning transportation.

House Amendment No. 2 to SENATE BILL NO. 509.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 702

A bill for AN ACT concerning revenue.
House Amendment No. 1 to SENATE BILL NO. 702.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 951

A bill for AN ACT concerning public aid.
House Amendment No. 1 to SENATE BILL NO. 951.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1705

A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 1705.
House Amendment No. 3 to SENATE BILL NO. 1705.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2137

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2137.
House Amendment No. 2 to SENATE BILL NO. 2137.
House Amendment No. 3 to SENATE BILL NO. 2137.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2159

A bill for AN ACT concerning procurement.

House Amendment No. 1 to SENATE BILL NO. 2159.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2195

A bill for AN ACT concerning public aid.

House Amendment No. 1 to SENATE BILL NO. 2195.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2235

A bill for AN ACT concerning education.

House Amendment No. 1 to SENATE BILL NO. 2235.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2254

A bill for AN ACT concerning State government.

House Amendment No. 1 to SENATE BILL NO. 2254.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2272

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 2272.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2290

A bill for AN ACT concerning housing.
House Amendment No. 1 to SENATE BILL NO. 2290.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2302

A bill for AN ACT concerning fire safety.
House Amendment No. 1 to SENATE BILL NO. 2302.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2356

A bill for AN ACT concerning the State Comptroller.
House Amendment No. 1 to SENATE BILL NO. 2356.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2360

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2360.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2391
A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2391.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2456
A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2456.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2554
A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2554.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2579
A bill for AN ACT concerning public aid.
House Amendment No. 1 to SENATE BILL NO. 2579.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2631

A bill for AN ACT concerning local government.

House Amendment No. 1 to SENATE BILL NO. 2631.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2650

A bill for AN ACT concerning vehicles.

House Amendment No. 1 to SENATE BILL NO. 2650.

House Amendment No. 2 to SENATE BILL NO. 2650.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2680

A bill for AN ACT concerning law enforcement.

House Amendment No. 1 to SENATE BILL NO. 2680.

House Amendment No. 2 to SENATE BILL NO. 2680.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2732

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 2732.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2798

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 2798.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2865

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2865.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2873

A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2873.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2878

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2878.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2931

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2931.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2962
A bill for AN ACT concerning driving privileges.
House Amendment No. 1 to SENATE BILL NO. 2962.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 3010
A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 3010.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:
SENATE BILL NO. 3046
A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 3046.
House Amendment No. 2 to SENATE BILL NO. 3046.
House Amendment No. 3 to SENATE BILL NO. 3046.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

REPORTS FROM STANDING COMMITTEES

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4788.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 4788 is as follows:

13, Yeas; 0, Nays; 0, Answering Present.

Y Fritchey, John(D), Chairperson

Y Hultgren, Randall(R), Republican Spokesperson

Y Bradley, John(D), Vice-Chairperson

Y Brosnahan, James(D)

Y Gordon,Careen(D)
 A Hoffman,Jay(D)
 Y Mathias,Sidney(R)
 Y Osmond,JoAnn(R)
 Y Sacia,Jim(R)

Y Hamos,Julie(D)
 Y Lang,Lou(D)
 Y Nekritz,Elaine(D)
 Y Rose,Chapin(R)
 Y Wait,Ronald(R)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
 Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2946.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 2946 is as follows:

16, Yeas; 0, Nays; 0, Answering Present.

Y Molaro,Robert(D), Chairperson
 Y Lindner,Patricia(R), Republican Spokesperson
 Y Collins,Annazette(D)
 Y Durkin,Jim(R)
 Y Golar,Esther(D)
 Y Howard,Constance(D)
 Y Mautino,Frank(D)
 Y Sacia,Jim(R)

Y Delgado,William(D), Vice-Chairperson
 Y Bradley,John(D)
 Y Cultra,Shane(R)
 Y Froehlich,Paul(R)
 Y Gordon,Careen(D)
 Y Jones,Lovana(D) (Granberg)
 Y Reis,David(R)
 Y Wait,Ronald(R)

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2368.

The committee roll call vote on Senate Bill 2368 is as follows:

24, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman,Jay(D), Chairperson
 A Black,William(R)
 Y Brauer,Rich(R) (Kosel)
 Y D'Amico,John(D)
 Y Froehlich,Paul(R)
 Y Joyce,Kevin(D)
 Y Mathias,Sidney(R)
 Y McCarthy,Kevin(D)
 Y Miller,David(D), Vice-Chairperson
 Y Nekritz,Elaine(D)
 Y Ramey,Harry(R)
 Y Stephens,Ron(R)
 Y Tryon,Michael(R)
 Y Washington,Eddie(D)

Y Beiser,Daniel(D)
 Y Bost,Mike(R)
 Y Brosnahan,James(D)
 A Fritchey,John(D)
 Y Graham,Deborah(D)
 Y Lyons,Joseph(D)
 A McAuliffe,Michael(R)
 Y Mendoza,Susana(D) (M. Davis)
 Y Molaro,Robert(D)
 Y Poe,Raymond(R)
 Y Soto,Cynthia(D)
 Y Tenhouse,Art(R)
 Y Wait,Ronald(R), Republican Spokesperson

CHANGE OF SPONSORSHIP

Representative Froehlich asked and obtained unanimous consent to be removed as chief sponsor and Representative Ramey asked and obtained unanimous consent to be shown as chief sponsor of SENATE BILL 1088.

Representative Fritchey asked and obtained unanimous consent to be removed as chief sponsor and Representative Phelps asked and obtained unanimous consent to be shown as chief sponsor of SENATE BILL 1144.

RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 1158

Offered by Representative Chapa LaVia:

WHEREAS, Each year, 1,500 children die and 140,000 children are injured because of child abuse, more than 2 million cases of child abuse and neglect are reported in the United States, and an estimated 150,000 to 200,000 new cases of sexual abuse occur; and

WHEREAS, There are several types of child abuse, including domestic abuse in the home, Shaken Baby Syndrome, neglect, physical abuse, emotional abuse, and child abandonment; and

WHEREAS, Children who suffer abuse develop a range of maladaptive, anti-social, and self-destructive behaviors and thoughts in trying to cope with the abuse; children who are victims of sexual abuse experience depression, anxiety, guilt, fear, sexual dysfunction, dissociative symptoms, eating disorders, substance abuse, prostitution, regressive behaviors such as a return to thumb-sucking or bed-wetting, runaway behavior, and academic and behavior problems; and

WHEREAS, The costs of child abuse to society are great and include human suffering; medical care for injuries; medical care for the long term effects on survivors; mental health care for survivors; substance abuse treatment for survivors; mental health treatment for abusers; criminal justice system costs for police intervention, arrests, prosecution, and incarceration; legal system costs for lawyers, judges, and courtrooms; costs to our educational system for special education services and counseling services; and social service costs for shelters, foster care, emergency housing, and case workers; and

WHEREAS, There are many things that the public can do to prevent child abuse, including being educated regarding the signs of child abuse, what constitutes child abuse, and why it is wrong, and the best way to prevent child abuse; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that to recognize the value of children in our society and to encourage education and prevention of domestic violence and abuse, we declare Sunday, June 11, 2006, to be "Children's Day" in the State of Illinois.

HOUSE RESOLUTION 1160

Offered by Representative Howard:

WHEREAS, African American-owned technology firms have traditionally had few opportunities from the State of Illinois even though African Americans make up more than 14% of the population of the State of Illinois; and

WHEREAS, Tens of millions of dollars in State of Illinois computer contracts have gone to technology firms that are not even based in the United States, let alone in Illinois; and

WHEREAS, Chicago and Illinois boast some of the nation's award-winning and largest African American-owned technology firms; and

WHEREAS, In order to promote diversity and help employ future business leaders and empower the African American communities, the State should hire African American and minority-owned vendors for technology contracts; and

WHEREAS, Minority-owned firms are frequently forced to be subcontractors to non-minority technology companies because of the perception that they do not have the ability to execute substantial contracts on their own; and

WHEREAS, These issues are made even more urgent by the growing offshoring of technology work, as well as vendor rationalization in general; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the House Computer Technology Committee hold hearings on the lack of diversity in State technology business; and be it further

RESOLVED, That the Committee issue a report by October 31, 2006 on the amount of State of Illinois business with African American-owned technology firms and on ways the State can improve its record with these companies; and be it further

RESOLVED, That we urge Governor Blagojevich to immediately begin using more African American-owned technology firms for State businesses; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Governor and to the Director of Central Management Services.

SENATE BILLS ON FIRST READING

Having been printed, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 711, 861, 929, 1144 and 1145.

AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 1152

Offered by Representative Osmond:

WHEREAS, The members of the Illinois House of Representatives congratulate Warren Special Recreation Association in Warren Township on the occasion of its 25th anniversary; and

WHEREAS, The Association is comprised of four member districts represented by board members Suzanne Simpson, Warren Township; Maureen Jekot, Wildwood Park District; Linda Anderson, Grandwood Park District; and Lisa Sheppard, Gurnee Park District; Brenda Zeck is the Executive Director; and

WHEREAS, The Association began operations in 1981 and was formally known as the Special Recreation Association of Warren-Zion (SRAWZ) and housed at Viking Park in Gurnee; in 1983, with the cooperation of the member districts and volunteers from the Gagewood Lions club, a 5000-square-foot therapeutic playground was built, the first of its kind in the Northeast Illinois region; the Association's name changed to Warren Special Recreation Association (WSRA) on May 1, 1985; the Association moved to the loft of a remodeled barn on the 80-acre grounds of the Warren Township Center; in 1997 with the generous donation of \$100,000 from the Gagewood Lions Club, WSRA moved into the remodeled farm house at Warren Township Center; and

WHEREAS, The Association provides community recreation services to individuals with disabilities who reside within Warren Township, which encompasses seven municipalities, 36 square miles, and has a population of 65,000; and

WHEREAS, Warren Special Recreation Association has experienced significant growth in terms of enrollment, recreation programs, and services; one of the challenges in meeting the needs of the community comes in controlling costs while expanding services; the Association has successfully maintained a balanced budget for 25 years while seeing enrollment climb from 15 participants in 1981 to more than 100 in the current year; the Association currently has four full-time Certified Therapeutic Recreation Specialists and 60 part-time staff; and

WHEREAS, The Association continues to focus its efforts on assisting individuals with disabilities and their families; WSRA staff stay abreast of the latest techniques in implementing quality recreation programs in an enjoyable and safe environment; WSRA programming changes with the needs of its participants and their families; in the past year there were 170 programs offered; a few of these program offerings include camps, special events, weekly programs, socials, after school club, and Special Olympics; and

WHEREAS, WSRA continues to partner and work collaboratively with its member districts, other special recreation associations, the Special Education District of Lake County, local school districts, and

community organizations; and

WHEREAS, While the Association has accumulated awards and acknowledgements during the past 25 years for excellent programs, safety records, brochures, staff, and participant achievements, there is still much to accomplish in the future; the Association has had community and member district support over the past 25 years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Warren Special Recreation Association for 25 years of excellence and dedication; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Warren Special Recreation Association as an expression of our esteem.

HOUSE RESOLUTION 1153

Offered by Representative Munson:

WHEREAS, Ronell Hilton DeLoncker, co-owner of Jim's Towing and Automotive, has been chosen as the 2006 Altrusa International Club of Elgin's Woman of the Year; and

WHEREAS, The Woman of the Year award is given annually to a woman in the community who is not a member of Altrusa, but who exemplifies the Altrusa keys of amity, loyalty, talent, reciprocity, unity, service, and achievement; and

WHEREAS, Ms. DeLoncker has worked with the Elgin Junior Service Board for eight years; she has also volunteered with the Women's Organization for Wellness (WOW), PEO, the U-46 Dental Survey, the Sherman Hospital Auxiliary, Easter Seals, the Special Olympics, Community Crisis Center Boys and Girls Club, and many other organizations; and

WHEREAS, She is currently serving as WOW president, Sherman Hospital Auxiliary vice president, Central High School Post Prom chairman, and as a member of PEO; and

WHEREAS, She is the co-owner of Jim's Towing and Automotive with her husband, Robert, where they have worked together for 23 years; they have two children, Nicole and Daniel; she volunteers her time at her children's schools as well, as a reading mom, math center helper, and room mom; and

WHEREAS, Ms. DeLoncker will be honored for her commitment to service at the Altrusa International Club of Elgin's 57th annual celebration on Thursday, May 18, 2006; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Ronell DeLoncker of Elgin on being named the 2006 Altrusa International Club of Elgin's Woman of the Year, and we thank her for the countless hours she devotes to volunteer service; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. DeLoncker as an expression of our esteem.

HOUSE RESOLUTION 1154

Offered by Representative Osmond:

WHEREAS, After 21 years of service at St. Ignatius Church in Antioch and nearly 40 years in the ministry, Father Vince Eckholm is retiring; and

WHEREAS, He was born in Chicago on January 12, 1942; his interest in becoming a priest began at the young age of five; when he was about seven years old, his family joined St. Gertrude, where he was an acolyte; he also attended Catholic school at St. Gertrude until entering Archbishop Quigley Preparatory Seminary in Chicago; from Quigley, he went to the University of St. Mary of the Lake Seminary in Mundelein for his priestly education; he received his Masters in Dogmatic Theology and was ordained a priest on April 27, 1967; and

WHEREAS, He did social work and eventually became a chaplain at the Cathedral Shelter on Madison St. in Chicago; this shelter happened to be run by the Episcopal Church; at the shelter, Father Eckholm ministered to the homeless, the unemployed, and others, who for various reasons, were down on their luck; he also spent time at the "skid row" courthouse in Chicago, where he counseled people who were arrested for being drunk; and

WHEREAS, During this time, Father Eckholm got to know the Episcopal Church; after much personal reflection and deliberation, he decided to join the Episcopal Church; he completed the process of being received in the Episcopal Church in 1975; and

WHEREAS, His first parish was in Shenandoah, Iowa, and then he returned to Chicago, where he became the chaplain at Lawrence Hall Youth Services, ministering to boys who were abused, neglected, and in some cases, had minor scrapes with the law; he also spent some time supporting a colleague at a church in Oak Park; and

WHEREAS, In the fall of 1984, the Bishop approached Father Eckholm and asked him to become the interim priest for St. Ignatius Church in Antioch; after a very long courtship and recruiting effort by both the parish and the bishop, Father Eckholm formally became the rector of the parish of St. Ignatius in December of 1985; over the years, he not only presided over the parish, but he also touched many people in the community; he and his wife, Cynthia, will remain active members of the Antioch community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Father Vince Eckholm on the occasion of his retirement; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Father Eckholm as an expression of our esteem.

HOUSE RESOLUTION 1155

Offered by Representative Brauer:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Captain Dennis E. Sloman of Pleasant Plains on the occasion of his retirement after 27 years of service in law enforcement; and

WHEREAS, He is a graduate of the FBI National Academy at Quantico, Virginia, the 183rd Session; Sangamon State University in Springfield, where he received a B.A. in social justice; and Lincoln Land Community College in Springfield, where he received an A.A. in pre-law; and

WHEREAS, He has been a member of the Illinois State Police since March 25, 1979, and has held the following positions: Cadet (Class # 61, Class President); Trooper (District 9 and 14); Sergeant (Squad Leader), District 9; Sergeant (Investigator), Internal Investigations; Master Sergeant (Squad Leader), Internal Investigations; Assistant Area Commander, Internal Investigations; District 9 Investigations Commander; Bureau Chief - Strategic Planning and Analysis Bureau; District 18 Commander; Assistant Deputy Director, Internal Investigations; and District 9 Commander; his promotions include Trooper First Class, Master Trooper, Sergeant, Master Sergeant, Lieutenant, and Captain; and

WHEREAS, He has been honored by the State Police for his work with the Medal of Valor, the Meritorious Service Award (3 Awards), the Commendation Award (2 Awards), the Department Unit Citation, the Department Special Detail Service Award, and the Physical Fitness Ribbon with Gold Star; and

WHEREAS, Prior to working with the ISP, he was employed by the FBI from July of 1971 to March of 1979, where he worked as support personnel; he valiantly served our country as a member of the Illinois Air National Guard for over 26 years, retiring with the rank of Captain; in 1992, he was one of twelve unit members selected to observe and assist a NATO Tactical Evaluation Inspection at Skrydstrup AFB in Denmark; and

WHEREAS, He was a member of the Illinois National Guard combat rifle and pistol team, allowing him to represent Illinois in national matches against the nation's best shooters from the Armed Forces, and he was team captain and a shooting member of the third place national team at the Secretary of the Army Combat Arms Matches at Ft. Benning, Georgia, in 1992; he earned many other honors, including the Master Security Police Badge, the Senior Civil Engineer Badge, the Air Force Meritorious Service Medal, the Air Force Commendation Medal, the Air Force Achievement Award, the Air Force Outstanding Unit Award, the Air Reserve Forces Meritorious Service Medal with 4 Oak Leaves, the National Defense Service Medal, the Humanitarian Service Medal, the Air Force Longevity Service Ribbon with 5 Oak Leaves, the Armed Forces Reserve Medal, the Small Arms Expert Marksman Ribbon with device (M-16 and 9mm), the Air Force Training Ribbon with 1 Oak Leaf, the Illinois Long and Honorable Service with 4 Oak Leaves, the Illinois Military Attendance Ribbon with "12" device, the State Active Duty Ribbon, and

the USAF/Director of Civilian Marksmanship (DCM) Bronze Medal; and

WHEREAS, He is a member of numerous professional organizations including the FBI National Academy Associates; the FBI National Academy, Railsplitter Division; the Illinois Law Enforcement Intelligence Network, Area Board of Directors; the Central Illinois Chiefs of Police; the Central Illinois Association of Law Enforcement Executives; the Fraternal Order of Police, Lodge 41; the Illinois State Police Command Officers Association; the National Guard Association, Life Member; the National Guard Association of Illinois, Life Member; the Blue Knights International Law Enforcement Motorcycle (Chapter XV charter member and past chapter president); and the National Rifle Association, Life Member; and

WHEREAS, Captain Sloman, the son of Nelvin and Ida Sloman, has been married to his wife, Nancy, for 32 years; he is the father of Tyler (wife, Samantha) and Amanda and is the proud grandfather of Alexander; he enjoys camping, hiking, traveling, hunting, fishing, motorcycles, and reading in his spare time; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Captain Sloman on the occasion of his retirement, and we commend him on his exceptional career dedicated to protecting the safety of our citizens; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Captain Sloman as an expression of our gratitude for his many years of service and with best wishes for a relaxing retirement.

HOUSE RESOLUTION 1156

Offered by Representative Granberg:

WHEREAS, The members of the House of Representatives of the State of Illinois are proud to honor students in our State who have achieved recognition; and

WHEREAS, Rebecca Clark, a fifth grader at Bluford School, recently won a prize in the 18th Annual Illinois Coal Calendar Art and Essay Contest sponsored by the Illinois Department of Commerce and Economic Opportunity's Office of Coal Development; and

WHEREAS, Miss Clark's essay is titled "Coal Mining in Illinois"; she will be honored at the Illinois Coal Calendar Awards Reception on Friday, May 5, 2006, at the Executive Mansion in Springfield; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Rebecca Clark on winning a prize in the 18th Annual Illinois Coal Calendar Art and Essay Contest; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Miss Clark as an expression of our esteem.

HOUSE RESOLUTION 1157

Offered by Representative Cultra:

WHEREAS, The village of Ashkum will celebrate its sesquicentennial the weekend of August 25, 2006; and

WHEREAS, In 1856, as railway stations were established along the main line of the Illinois Central railroad, people built homes and established businesses that eventually became a community; one of these communities was Ashkum, named after a Potawatomi Indian chief who migrated to the west from Indiana in 1838; railroad records show that by 1856 when the town was formally organized, six houses, two stores, and a hotel had been established, and 58 new farms were settled in the vicinity; and

WHEREAS, The Illinois Central railroad's role in the formation of the town is confirmed by the record of shipments from Ashkum in 1857, when 331 tons of freight such as corn, wheat, oats, cattle, and hogs originated at the station; in the same year, the Illinois Central delivered 1,239 tons of freight to Ashkum consisting of general merchandise, lumber, shingles, stone, flour, salt, molasses, and ten barrels of whiskey; and

WHEREAS, In 2006, there are still railroad tracks running through the community with thousands of

bushels of grain shipped each year from neighboring farms; Interstate 57, Chicago's highway link to the south, borders the west side of the town; the Illinois State Police District 21 office is located in Ashkum; the town has 38 small businesses as well as a post office, three churches, and a school; Ashkum is probably most widely known in the State for its Coliseum, built in 1919, which has housed many a traveler caught in a snowstorm when I-57 was temporarily closed; and

WHEREAS, Ashkum is the home of 750 residents with an abundance of quiet streets and beautiful trees; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the village of Ashkum on the occasion of its sesquicentennial; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the village of Ashkum as an expression of our esteem and with best wishes for the community's future prosperity.

HOUSE RESOLUTION 1159

Offered by Representative Joyce:

WHEREAS, Individuals who commit their lives to the education of the students of Illinois are worthy of the highest praise; and

WHEREAS, One such individual, Renee Payne, will be retiring from her position at Saint Cajetan School in Chicago after 19 years of service; she served six years as a teacher, three years as an assistant principal, and ten years as principal; and

WHEREAS, Ms. Payne brought the school into the new millennium with state-of-the-art technology, brought an After School Care Program to the school families, created a free standing science lab, and instituted computer generated programs for remediation and for enrichment; and

WHEREAS, She instituted the Discipline With Purpose Program as a curriculum based self-directed discipline program designed to help children develop the important skills of self-discipline; presided over numerous improvements to the school facilities and grounds; modernized the school library, creating a library/media center; and facilitated Saint Cajetan School's membership in the National Junior Honor Society, which allows students to develop leadership skills through service and academics; and

WHEREAS, For 19 years, Ms. Payne has made the business of education at St. Cajetan School her life's work; she has been steadfast in her dedication to the students, parents, and faculty she serves; she has honored the St. Cajetan School family with grace and good humor; her extraordinary capacity for giving of herself is a gift that will be most fully appreciated in its absence; and

WHEREAS, She is known for her happy, sunny personality and is approachable; she is recognized as a team builder and for her leadership; and

WHEREAS, She treated all of the children of St. Cajetan School as if they were her own and instilled those children with a solid foundation of morals and values that we can all be proud of; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Renee Payne on the occasion of her retirement from her position at Saint Cajetan School in Chicago after 19 years of service; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. Payne as an expression of our esteem.

HOUSE RESOLUTION 1161

Offered by Representative Howard:

WHEREAS, Untreated drug offenders are the cause of crime in many of our communities and those communities across Illinois become "victims" as a result of State policy of incarcerating and not treating low-level non-violent offenders; and

WHEREAS, The answer for reducing crime is both to change public perception and legislative strategies so that low-level drug use is perceived and treated as a public and mental health issue and to require a prevention strategy; and

WHEREAS, Communities are alarmed at the high rate of drug offenders returning to Illinois

communities without rehabilitation and stripped of employment, housing, and education prospects, creating volatile conditions in our neighborhoods; and

WHEREAS, These barriers to employment, housing, education, and other basic needs force many non-violent drug offenders into a cycle of escalating criminal activity; and

WHEREAS, The Developing Justice Coalition, a statewide alliance of dozens of community groups, and other community-level organizations are working together with legislators, the business community, bar associations, and academia to define and combat the critical public safety problems that are proliferated across the State by the cycle of untreated drug abuse, violence, incarceration, and barriers to prisoner reentry; and

WHEREAS, This cycle threatens the very foundation of our communities as more families are devastated by untreated drug addictions, while the process of incarceration and reentry has become commonplace and a major eroding factor in some Illinois communities; and

WHEREAS, Illinois spends millions of dollars each year incarcerating the same nonviolent drug offenders, many of whom cycle in and out of prison on an ongoing basis at great expense to the taxpayers; and

WHEREAS, Every year, the number of arrests for drug offenses is increasing, with over 70,000 people arrested for drug offenses in Illinois in 2004; and

WHEREAS, Every year, counties send a new record number of admission of non-violent drug offenders to Illinois State prisons; and

WHEREAS, In 2005 alone, more than 11,000 people were imprisoned in Illinois for low-level, nonviolent drug offenses at a cost of more than \$249 million annually; and

WHEREAS, Illinois law currently contains provision for diversion away from prison toward more effective treatment, but the existing laws are either inadequate, improperly applied, or lack resources for implementation; and

WHEREAS, In FY 2005, a record number of nearly 40,000 people were released into Illinois communities with little or no resources, and tens of thousands of the ex-offenders returned to Illinois neighborhoods with untreated drug addictions; and

WHEREAS, In 2005, with the recidivism rate of 54.6%, most non-violent drug offenders will return to prison within three years; and

WHEREAS, Members of the Developing Justice Coalition have come to understand that we cannot arrest ourselves out of this problem, nor can we cure addicted people by warehousing them; and

WHEREAS, There is a need to examine the creation of a system of sanctions that utilizes diversion in appropriate cases and reduces the escalating cost of Corrections by eliminating mandatory sentencing and incarceration for low-level nonviolent drug offenses and provides the universal option of treatment, counseling, and community service instead and wishes to explore whether such a system will save valuable state funds, increase the public safety in our communities, reduce the state prison population, and help low-level nonviolent drug offenders learn to function as profitable members of our communities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Developing Justice Coalition in its efforts to encourage participation in a series of public hearings beginning in May, 2006, aimed at defining the depth of the problems associated with untreated drug addictions and to find ways to identify resources to support treatment, to identify policy changes that can improve diversion opportunities and outcomes, and to develop solutions that will address the public safety concerns of residents of Illinois communities; and be it further

RESOLVED, That a suitable copy of this Resolution be presented to the Developing Justice Coalition.

HOUSE RESOLUTION 1162

Offered by Representative Smith:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death Richard "Dick" Lawless of Bartonville on February 16, 2006; and

WHEREAS, Born on October 23, 1920, in Peoria, Richard Lawless was the son of Harry P. and Anna Wolf Lawless; he was a 1939 graduate of Manual Training High School, where he was an all-conference athlete in basketball and baseball; and

WHEREAS, In 1942, Mr. Lawless entered the United States Naval Air Corps and was commissioned as a naval aviator at the Naval Air Station in Pensacola, Florida; he served as an instrument flight instructor during World War II and was honorably discharged in 1946; and

WHEREAS, He married Lucille Marie Dancy on April 29, 1944, in Peoria; and

WHEREAS, Mr. Lawless was a lifelong member of the United Association of Steamfitters Local 353 for 65 years, where he served as business agent, business manager, and apprentice coordinator; during his career, he established the Steamfitters Apprentice Program, playing a leading role in creating the training school; he was an instructor and a mentor to apprentice steamfitters for over four decades; and

WHEREAS, In 1990, he received the coveted Francis X. McCartin Citizen Leadership Hawk on the Rock Award from the United Association; he was awarded the Tri-County Construction (TRI-CON) Person of the Year award in 2003 in recognition of his many contributions to labor-management relations in the Central Illinois construction industry; in 2005, he received the Citizens Award for Dedicated Service to Illinois Law Enforcement Agencies from the Peoria County Association of Chiefs of Police; and

WHEREAS, He was a co-founder of Lawless Plumbing and Heating Company with his younger brother, Robert; he served on the Peoria County Sheriffs Merit Commission for 35 years, including 24 years as the commission vice chairman; he retired in January of 2006; he was also a member of the Illinois Sheriff Association; and

WHEREAS, He was a member of St. Anthony's Catholic Church in Bartonville; Bartonville American Legion Post 979; the Peoria AMVETS Post 64; the Knights of Columbus, St. Jude Council; and the BPOE Lodge 20; he was a lifelong outdoor sportsman and cherished the deeply valued friendships he forged and sustained for over 40 years with fellow members of the Briney-Hamm Duck Hunters Association of Bluff City, Illinois; and

WHEREAS, The passing of Richard Lawless has been deeply felt by many, especially his wife, Lucille Lawless; his sons, Richard P. Lawless Jr. and Robert M. Lawless; his three grandchildren; and his three nieces; he was preceded in death by his parents; his brother, Robert Bob Lawless; and his sister, Elizabeth (Lawless) Janssen; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Richard "Dick" Lawless, and we extend our deepest sympathy to his family, friends, colleagues, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our sincere condolences.

HOUSE RESOLUTION 1163

Offered by Representative Lyons:

WHEREAS, Martin F. Hawkins valiantly served his country as a member of the United States Army from 1943 until 1945; he served as an infantryman in Company G, 307th Infantry Regiment, 77th Infantry Division; his combat experience included action in Guam, the Philippines, and Okinawa, which was the last great battle of the Second World War; and

WHEREAS, In April of 1945, Martin Hawkins was wounded by shrapnel on the island of Ie Shima, which is part of the Okinawa Island chain, an island the 77th Division was assigned to recapture; he was evacuated to the Army hospital on the island of Saipan, where he received a Purple Heart medal for his wounds; he was transferred to Ordnance Company in Hawaii upon release from the hospital and was promoted to Tech Sergeant 5 while with this company; and

WHEREAS, Martin Hawkins was released from the service late in 1945 from Camp Grant and returned home to Chicago; his decorations include the Purple Heart, the Bronze Star, the Pacific Campaign medal with three battle stars, the Good Conduct Medal, the Combat Infantry Badge, the Expert Infantry Badge, and the World War II Victory Medal; and

WHEREAS, Like so many veterans of World War II, he did not receive proper recognition of his service; to further complicate matters, a fire in the Records Processing Center in St. Louis in 1973 destroyed the records of thousands of veterans; and

WHEREAS, In 2006, the Veterans Administration restored the medals to Mr. Hawkins; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Martin F. Hawkins on the awarding of

his medals for exemplary service to his country; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mr. Hawkins as an expression of our deepest gratitude for his service to our country.

HOUSE RESOLUTION 1164

Offered by Representative Lyons:

WHEREAS, The members of the Illinois House of Representatives are honored to recognize significant events in the lives of the citizens of the State of Illinois; and

WHEREAS, Kevin McCann is retiring from his position as Principal of Jamieson Elementary School in Chicago; and

WHEREAS, Kevin McCann graduated from St. Patrick High School in 1969; he earned a Liberal Arts and Science degree from Depaul University in 1973 and continued his education at DePaul University, earning a Masters degree in School Administration in 1976; and

WHEREAS, Mr. McCann taught in a general education classroom from 1974 until 1977 at Bell School and then taught upper grade mathematics at LaSalle Language Academy from 1977 until 1991; in 1991 he became the Principal at Jamieson Elementary School; and

WHEREAS, Mr. McCann helped Jamieson Elementary School to be recognized through achievements in many different disciplines; under his leadership, the school received awards for success in academic bowls, history fairs, science fairs, oratory, math competition, athletics, and robotics; and

WHEREAS, Kevin McCann received many awards throughout his career; in 1979, he was Teacher of the Year at LaSalle Language Academy; he received the Kate Maremont Dedicated Teacher Award in 1989; in 1990, he was recognized as the Milken Family Foundation Illinois Distinguished Educator; and, in 1999, he received the Finalist Outstanding Leadership Award, Chicago Principals Association and Chicago Public Schools; and

WHEREAS, Kevin McCann and his wife, Carol, were married on June 22, 1991; and he is the proud father of 3 children, Maggie, Rachel, and Bridget; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Kevin McCann on his retirement as Principal of Jamieson Elementary School after a 32 year career in education and wish him a happy and relaxing retirement; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Kevin McCann.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1152, 1153, 1154, 1155, 1156, 1157, 1159, 1161, 1162, 1163 and 1164 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Colvin, SENATE BILL 2349 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 81, Yeas; 27, Nays; 7, Answering Present.

(ROLL CALL 2)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Schmitz, SENATE BILL 2348 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
92, Yeas; 22, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

AGREED RESOLUTIONS

HOUSE RESOLUTION 1138 was taken up for consideration.

Representative Schmitz moved the adoption of the agreed resolution.

The motion prevailed and the Agreed Resolution was adopted.

At the hour of 5:51 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, April 7, 2006, at 11:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

April 06, 2006

0 YEAS

0 NAYS

115 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| P Acevedo | P Dugan | P Krause | P Pritchard |
| P Bassi | P Dunkin | P Lang | P Ramey |
| P Beaubien | P Dunn | P Leitch | P Reis |
| P Beiser | P Durkin | P Lindner | P Reitz |
| P Bellock | P Eddy | P Lyons, Joseph | P Rita |
| P Berrios | E Feigenholtz | P Mathias | P Rose |
| P Biggins | P Flider | P Mautino | P Ryg |
| P Black | P Flowers | P May | P Sacia |
| P Boland | P Franks | P McAuliffe | P Saviano |
| P Bost | P Fritchey | P McCarthy | P Schmitz |
| P Bradley, John | P Froehlich | P McGuire | P Schock |
| P Bradley, Richard | P Giles | P McKeon | P Scully |
| P Brady | P Golar | P Mendoza | P Smith |
| P Brauer | P Gordon | P Meyer | P Sommer |
| P Brosnahan | P Graham | P Miller | P Soto |
| P Burke | P Granberg | P Mitchell, Bill | P Stephens |
| P Chapa LaVia | P Hamos | P Mitchell, Jerry | P Sullivan |
| P Chavez | P Hannig | P Moffitt | P Tenhouse |
| P Churchill | P Hassert | P Molaro | P Tryon |
| P Collins | P Hoffman | P Mulligan | P Turner |
| P Colvin | P Holbrook | P Munson | P Verschoore |
| P Coulson | P Howard | P Myers | P Wait |
| P Cross | P Hultgren | P Nekritz | P Washington |
| P Cultra | P Jakobsson | P Osmond | P Watson |
| P Currie | P Jefferson | P Osterman | P Winters |
| P D'Amico | P Jenisch | P Parke | P Yarbrough |
| P Daniels | E Jones | E Patterson | P Younge |
| P Davis, Monique | P Joyce | P Phelps | P Mr. Speaker |
| P Davis, William | P Kelly | P Pihos | |
| P Delgado | P Kosel | P Poe | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2349
MORTGAGE RESCUE FRAUD ACT
THIRD READING
PASSED

April 06, 2006

81 YEAS

27 NAYS

7 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Pritchard |
| Y Bassi | Y Dunkin | Y Lang | N Ramey |
| Y Beaubien | N Dunn | N Leitch | N Reis |
| Y Beiser | Y Durkin | P Lindner | Y Reitz |
| Y Bellock | N Eddy | Y Lyons, Joseph | Y Rita |
| Y Berrios | E Feigenholtz | Y Mathias | N Rose |
| N Biggins | Y Flider | Y Mautino | Y Ryg |
| N Black | Y Flowers | Y May | N Sacia |
| Y Boland | P Franks | Y McAuliffe | Y Saviano |
| N Bost | Y Fritchey | Y McCarthy | N Schmitz |
| Y Bradley, John | Y Froehlich | Y McGuire | N Schock |
| Y Bradley, Richard | Y Giles | N McKeon | P Scully |
| Y Brady | P Golar | Y Mendoza | Y Smith |
| N Brauer | Y Gordon | N Meyer | Y Sommer |
| Y Brosnahan | Y Graham | Y Miller | Y Soto |
| Y Burke | Y Granberg | N Mitchell, Bill | N Stephens |
| P Chapa LaVia | Y Hamos | Y Mitchell, Jerry | N Sullivan |
| Y Chavez | Y Hannig | Y Moffitt | Y Tenhouse |
| N Churchill | N Hassert | Y Molaro | Y Tryon |
| Y Collins | Y Hoffman | Y Mulligan | Y Turner |
| Y Colvin | N Holbrook | Y Munson | Y Verschoore |
| Y Coulson | P Howard | N Myers | Y Wait |
| N Cross | N Hultgren | Y Nekritz | Y Washington |
| N Cultra | Y Jakobsson | Y Osmond | Y Watson |
| Y Currie | Y Jefferson | Y Osterman | N Winters |
| Y D'Amico | Y Jenisch | Y Parke | Y Yarbrough |
| Y Daniels | E Jones | E Patterson | Y Younge |
| Y Davis, Monique | Y Joyce | Y Phelps | Y Mr. Speaker |
| Y Davis, William | Y Kelly | Y Pihos | |
| P Delgado | N Kosel | Y Poe | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2348
MUNI-PROPERTY INTEREST
THIRD READING
PASSED

April 06, 2006

92 YEAS

22 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | N Dugan | Y Krause | Y Pritchard |
| Y Bassi | Y Dunkin | Y Lang | Y Ramey |
| Y Beaubien | Y Dunn | Y Leitch | N Reis |
| N Beiser | Y Durkin | Y Lindner | Y Reitz |
| Y Bellock | N Eddy | Y Lyons, Joseph | Y Rita |
| Y Berrios | E Feigenholtz | Y Mathias | N Rose |
| Y Biggins | N Flider | Y Mautino | Y Ryg |
| Y Black | Y Flowers | N May | Y Sacia |
| Y Boland | N Franks | Y McAuliffe | Y Saviano |
| Y Bost | N Fritchey | Y McCarthy | Y Schmitz |
| N Bradley, John | Y Froehlich | Y McGuire | Y Schock |
| Y Bradley, Richard | Y Giles | A McKeon | Y Scully |
| Y Brady | Y Golar | Y Mendoza | Y Smith |
| N Brauer | N Gordon | Y Meyer | Y Sommer |
| Y Brosnahan | Y Graham | N Miller | Y Soto |
| Y Burke | Y Granberg | N Mitchell, Bill | Y Stephens |
| N Chapa LaVia | Y Hamos | Y Mitchell, Jerry | Y Sullivan |
| Y Chavez | Y Hannig | Y Moffitt | N Tenhouse |
| Y Churchill | Y Hassert | Y Molaro | Y Tryon |
| N Collins | Y Hoffman | Y Mulligan | Y Turner |
| Y Colvin | Y Holbrook | Y Munson | Y Verschoore |
| N Coulson | Y Howard | Y Myers | Y Wait |
| Y Cross | Y Hultgren | N Nekritz | Y Washington |
| N Cultra | Y Jakobsson | Y Osmond | Y Watson |
| Y Currie | Y Jefferson | Y Osterman | Y Winters |
| Y D'Amico | N Jenisch | Y Parke | Y Yarbrough |
| Y Daniels | E Jones | E Patterson | Y Younge |
| Y Davis, Monique | Y Joyce | N Phelps | Y Mr. Speaker |
| Y Davis, William | Y Kelly | Y Pihos | |
| Y Delgado | Y Kosel | Y Poe | |

E - Denotes Excused Absence